

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD DIVISION

THE CITY OF HUNTINGTON,

Plaintiff,

v.

Case No: 3:17-cv-01362

AMERISOURCEBERGEN DRUG
CORPORATION, CARDINAL HEALTH INC, and
MCKESSON CORPORATION,
GREGORY DONALD CHANEY, M.D.,

Defendants.

NOTICE OF WITHDRAW OF
PLAINTIFF'S MOTION TO DISMISS PURSUANT TO RULE 41(A)(2)
OF THE FEDERAL RULES OF CIVIL PROCEDURE

Comes now the Plaintiff, The City of Huntington, by and through counsel, gives notice that the Plaintiff hereby withdraws the previously filed *Motion to Dismiss Pursuant to Rule 41 (a)(2)*. The Plaintiff no longer wishes to pursue dismissal of this matter.

WHEREFORE, for the forgoing reasons, the Plaintiff, The City of Huntington respectfully requests that this Court permit it to withdraw its *Motion to Dismiss Pursuant to Rule 41 (a)(2)* and for such further relief as this Court deems necessary.

Respectfully submitted,
THE CITY OF HUNTINGTON,
By Counsel,

s/Charles R. "Rusty" Webb
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CERTIFICATE OF SERVICE

I, Charles R. Webb, counsel for Plaintiff, the City of Huntington, do hereby certify service that on July 24, 2017, I served the forgoing **NOTICE OF WITHDRAW OF PLAINTIFF'S MOTION TO DISMISS UNDER RULE 41(A)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE** upon the parties hereto by filing a true copy thereof *via* ECF to the following counsel of record:

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